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MAILING CERTIFICATE

I certify that on 4/11/05, which is the date I am signing this certificate, this correspondence and all identified attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment,, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Maria Nadal

Maria Nadal

PATENT

Applicant: Maria Villani

Serial No.: 10/659,451

Filed: 09/09/2003

Title: Porifera-Based Therapeutic Compositions for Treating and Preventing Skin Diseases

Examiner: David L. Vanik

Group Art Unit: 1615

Atty Docket No.: 51331-00004 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement in the Office Action mailed on March 31, 2005, Applicant provisionally elects Claims 1-9, species (a), for examination.

Applicant also requests that Claims 1-9, species (a), should also be examined. Applicant makes this election with traverse. The Examiner requires that Applicant list the claims that read upon the elected species. This list includes claims 1-9.

Applicant respectfully disagrees with the Examiner that a "search of chemically and functionally distinct compositions would impose search burden on the examiner." Applicant respectfully asserts that the only burden placed upon the Examiner is one of normalcy, which includes a search directed toward a Porifera-derived product including a pharmaceutically acceptable excipient (substances having no pharmacologic activity).

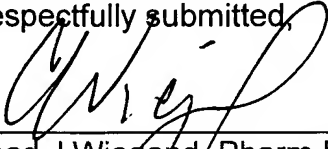
Application No.: 10/659,451
Group Art Unit: 1615
Applicant: Maria Villani

PATENT
51331-00004

The Commissioner is authorized to charge any fee which may be required in connection with this Notice or credit any overpayment to deposit account No. 50-3207.

Dated: 4/11/05

Respectfully submitted,


Chad J Wiegand, Pharm.D.
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